

**UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
FORT SUMTER NATIONAL MONUMENT**

Superintendent's Compendium

Date of Approval: 4 Aug 2017

Approved: Gary Stansberry Gary Stansberry, Acting Superintendent

Revision Requirement: Annually (36 CFR 1.7b)

Purpose

Title 36 of the Code of Federal Regulations (CFR) Chapter 1, *National Park Service, Department of the Interior*, has been established to provide for the proper use, management, government, and protection of persons, property, and natural and cultural resources under the jurisdiction of the National Park Service (NPS). (36 CFR 1.1(a))

Regulations within 36 CFR will be utilized to fulfill the statutory purposes of units of the National Park System: to conserve scenery, natural and historic objects, and wildlife, and to provide for the enjoyment of these resources in a manner that will leave them unimpaired for the enjoyment of future generations. {36 CFR 1.1 (b)}

Within 36 CFR a Park Superintendent has the discretionary authority to establish regulations that are more effective than a given regulation in certain instances. The Superintendent is required to compile in writing all the designations, closures, permit requirements and other restrictions imposed under discretionary authority. {36 CFR 1.7(b)}

Written determinations, which explain the reason behind the Superintendent's use of discretionary authority, as required by Section 1.5(c), appear in this document identified by italicized print.

All designations, closures, permit requirements, and other restrictions are addressed in parts I-III below under the appropriate section number and heading where they are applicable. Violations of compendium restrictions are violations of Title 36 Code of Federal Regulations and subject to penalties as stated in 36 CFR 1.3, *Penalties*.

Public Notice and Information

All designations, closures, permit requirements and other restrictions in this compendium will be made available to the public by at least one other method of notification. Methods may include

maps, signs, and publication in newspapers, handouts, and other appropriate media. {36 CFR 1.7(a)}

Title 36 CFR and the Superintendent's Compendium are available for review on the park website www.nps.gov/fosu, and the Superintendent's office, Chief Ranger's office, Visitor Center information desks or through a request to a park ranger. Additional information on permit applications may be requested in writing or calling:

Superintendent
Fort Sumter National Monument
1214 Middle Street
Sullivan's Island, SC 29482
Phone: 843-883-3123

Fort Sumter National Monument is comprised of Fort Sumter, Fort Moultrie, Liberty Square, and the Coast Guard Historic District. Charles Pinckney National Historic Site is also managed by the Fort Sumter National Monument Superintendent. The Charles Pinckney National Historic Site has a separate Superintendent's Compendium listed at www.nps.gov/chpi or available at the site.

Superintendent's Designations, Closures, Permit Requirements and Restrictions

SECTION 1.5 VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES

(a)(1) The following visitor hours and public use limits are established for all or for listed portions of the park, and the following closures are established for all or a portion of the park to all public use or to a certain use or activity.

Visitor Hours:

The grounds of all park units under the administration of Fort Sumter National Monument are designated as "Day Use" only. Public visitation to all park property is prohibited from sunset to sunrise.

The Fort Moultrie Visitor Center, Visitor Center parking lot, Fort Moultrie, and Battery Jasper are open from 9:00 a.m. until 5:00 p.m. daily. The Visitor Center, Fort Moultrie, and Battery Jasper are closed on Thanksgiving, Christmas, and New Year's Day.

The Liberty Square Visitor Center is open from 8:30 a.m. until 5:00 p.m. daily. The Visitor Center is closed on Thanksgiving, Christmas, and New Year's Day.

Fort Sumter is open upon the arrival of the first Fort Sumter Tours ferry or park boat until the departure of the last Fort Sumter Tours ferry or park boat on each day of regular operation. Fort Sumter Tours ferry boat schedules are available at all park Visitor Center desks or at <http://www.fortsumtertours.com/tours/fort-sumter-tour>

The Sullivan's Island Lighthouse, grounds within the perimeter fence, and historic Life Saving Station are currently closed to all public use, except under Special Use Permit or park approved/sponsored events.

The park area contains no overnight accommodations nor does it contain any facilities which are normally used at night. Currently, no legitimate public activity would be prevented by closing the park at night. Closing at night would also help eliminate criminal activity. Additionally, the legislated purpose of the park would not normally be served by night use.

The Fort Moultrie Visitor Center parking lot is designed to provide parking to the public who are visiting Fort Moultrie. Therefore parking is available to the public only during periods when the Visitor Center is open to the public. The Fort Moultrie parking lot is closed to vehicular traffic during times when the Visitor Center is closed for the protection of the unattended facility.

All visitor centers' hours of operation are based upon and consistent with available personnel and visitor use trends and needs.

Public Use Limits:

Docking, mooring, and use of the vertical ladders on the Fort Sumter dock is prohibited by recreational vessel operators and their passengers.

The existing NPS dock is no longer open to recreational use, docking, or mooring. The dock accommodates ferry boat tours from the Charleston harbor and government approved vessels. The combination of multiple ferry boats each day and private boats in such a small area would cause unsafe congestion and increased risks. Vertical ladders exist from the water line to the deck of the dock, and the climb to the top of the ladder varies with the water level on any given tide. Tidal movement, wave action, and ferry traffic can make accessing the dock and ladders challenging and unsafe. In addition to reaching the dock, climbing the vertical ladder in varying conditions to include rough water conditions and wet ladder surfaces represents a safety risk which exposes the public to slip and fall accidents, as well as impact injuries from falls from heights up to 10 feet. This is inherently unsafe and places the visiting public at an unnecessary risk. Due to the high number of ferry boat visitors, the number of people accessing the area must be controlled for both visitor safety and preservation of the resource. These numbers are known on ferry boats, but are unable to be accurately predicted or controlled with unexpected private boat traffic.

Shoes are required and must be worn at all times within government buildings, Fort Sumter and its grounds, and Fort Moultrie.

The areas both inside and outside of Fort Sumter are archaeological sites where broken glass, metal objects, oyster shell, and other debris is frequently exposed. This causes a significant risk of injury for individuals who are not wearing shoes. Fort Moultrie likewise has exposed shells and debris which cause the same risks. The interiors of the government buildings and museums that comprise Fort Sumter National Monument are professional work spaces and historic sites where lack of footwear is inconsistent with the purpose for which these areas were established and are to be managed.

Closures:

The following areas are closed to the public: Administrative and maintenance areas.

Recreational Activities:

Recreational Activities such as kite flying, ball playing, sunbathing, rocket flying, Frisbee, golfing, use of golf carts off of designated roadways, and similar activities are prohibited in all areas of Fort Sumter, Fort Moultrie, and Liberty Square.

Those recreational uses not permitted conflict with the legislated purpose of the park, detract from the historic scene, and contribute to the destruction of historic fabric of a park. The entire park is considered a historic area and is of primary importance in preserving the National Monument's historic significance.

Unmanned Aircraft:

Launching, landing, or operating an unmanned aircraft from or on lands or waters administered by the National Park Service within the boundaries of Fort Sumter National Monument, Fort Moultrie, or Liberty Square is prohibited except as approved in writing by the Superintendent.

Definition: the term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g. model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

This closure is necessary to maintain public safety, protect the park's wildlife, and to preserve the cultural resources of the park. Due to the significant historical events which took place on the battlefield, any less restrictive measures would interfere with visitor's opportunity to understand the significance of the park and would be inconsistent with the purpose for which the park was established and is being managed.

Picnicking:

Picnicking is authorized at the following areas: Near the Fort Moultrie dock.

Due to the historic nature of these areas and in accordance with NPS Management Policies, it has been determined that picnicking activities in any other locations than designated areas would be inconsistent with the purpose for which these areas were established and are to be managed.

Food and beverages:

Food and beverages are prohibited in Visitor Center lobbies, theatre, and museums.

The Visitor Center contains historic artifacts and it has been determined that damage from spilled food or beverages pose an unacceptable risk to the resources and visitor satisfaction with the facility.

Alcoholic Beverages:

Alcoholic beverages are prohibited from public consumption, display, or possession, including beer and wine, except where specifically authorized by the National Park Service. This regulation does not apply to NPS housing quarters area.

Alcohol use in Fort Sumter park areas is inconsistent with the purpose for which the area was established. Due to the high level of land and maritime traffic and visitation the use of alcoholic beverages increases risk to visitor, staff, and resource safety. This restriction is consistent with that of South Carolina State Parks.

Wildlife:

Wildlife viewing with artificial light is prohibited.

This restriction is vital to the protection of nocturnal species present in park areas.

https://www.nps.gov/articles/nocturnal_earthnight.htm

Swimming:

Swimming is prohibited at all park areas with the exception of the beach at the Coast Guard Historic District.

The NPS docks operate in high traffic marine environments which pose a danger to recreational swimmers. Changing tides, currents, and weather conditions increase risk to swimmer safety in these areas where there are no lifeguards.

Camping:

Camping is prohibited in all areas, except in conjunction with an organized and approved activity, Living History presentation, or an approved service group completing a park related project.

Fort Sumter National Monument units do not contain any facilities appropriate to recreational camping. Camping on Fort Sumter National Monument areas, while inconsistent with the purpose for which the area was established, would also create unnecessary risk to the cultural, archaeological, and natural resources of the area. Exceptions may be made for park sponsored organized living history presentations related to various periods of significance to the sites – if they do not negatively affect the park resources.

Hammocks:

Hammocks are prohibited in all areas of the park.

Hammock use prohibition is necessary to prevent resource damage, facility damage, and to prevent use that creates unsafe conditions for visitors and the resource.

Idling of diesel fueled commercial and recreational motor vehicles:

Idling is prohibited in parking lots of developed areas.

The noise and fumes caused by these engines severely impacts the natural and historic experiences sought by many visitors.

Activities that Require Permits**SECTION 1.6 AND 1.7 ACTIVITIES REQUIRING PERMITS**

- Display of commercial notices or advertisements
- Collection of research specimens and conducting scientific research
- Commercial filming or photography
- Sale or distribution of printed matter
- Special events
- Public assemblies, including first amendment right activities
- Scattering human ashes in Fort Sumter National Monument units
- Entering closed areas
- Possession of alcoholic beverages
- Camping
- Operating a public address system or other sound amplified audio devices
- Conducting commercial business operations
- Guiding
- Explosives
- Non-commercial soliciting
- Weddings

Parks, Forests, and Public Property for General Regulations

SECTION 2.1 PRESERVATION OF NATURAL, CULTURAL, AND ARCHAEOLOGICAL RESOURCES

(c)(1) The following fruits, berries, nuts and above ground fruiting bodies of certain fungi may be gathered by hand for personal use or consumption (commercial use is prohibited):

- Blackberries (*Rubus* spp.)
- Persimmon (*Diospyros virginiana*)

(c)(2)(i) The amount of fruits, berries, nuts and fruiting bodies of mushrooms that are authorized for collection shall not exceed one half pound per person per day for each species.

The unrestricted collection of native fruits, berries, nuts and fruiting bodies could adversely impact plant propagation and/or wildlife food sources.

(c)(2)(i) Persons gathering edible fruits and nuts are prohibited from climbing trees, using stools or ladders.

The use of these methods are restricted to protect the vegetation from undue damage (i.e., broken branches, etc.), and allow sufficient supplies of food for wildlife species.

SECTION 2.3 FISHING

Fishing from the Fort Moultrie dock is permitted in accordance with state fishing laws, unless such activities conflict with the operation of the park, cooperator, or concessioner owned boats. Crab pots, etc. may not be left past closing hours. Fishing is prohibited from the Liberty Square and Fort Sumter docks.

SECTION 2.20 SKATING, SKATEBOARDS, AND SIMILAR DEVICES

The Superintendent has not designated any areas for the use of roller skates or similar devices. Using roller skates, skateboards, roller skis, coasting vehicles, or similar devices (inline skates) are prohibited in all areas of the park.

The use of these devices creates a safety hazard for both vehicle traffic as well as pedestrians. They would also detract from the historical integrity of the park. Therefore there are no designated skating areas.

SECTION 2.21 SMOKING

(a) Smoking is prohibited in all facilities to provide for the public health and safety and protection of cultural resources. The Government recognizes the right of employees and the visiting public to smoke as long as nonsmokers are protected against involuntary exposure to smoke. Smoking is permitted out of doors, but away from public picnic areas and within 25 feet of all government buildings.

Smoking in Federal facilities is prohibited.

SECTION 2.23 RECREATION FEES

(a) Fort Moultrie and associated buildings and grounds are areas where recreation fees are established.

SECTION 2.51 DEMONSTRATIONS

(a) Permits and the small group permit exemption. Permits associated with First Amendment activities are necessitated by group size. A small group is defined as 25 people or less and is not required to obtain a permit as long as they are located within the park designated areas. The small group is further restricted to only leaflets, booklets and hand held signs.

A large group is defined as more than 25 people and is required to obtain a First Amendment Permit even if they are utilizing a park designated First Amendment location. There are no fees associated with First Amendment right permits. No public assembly permits shall be issued for a period in excess of seven days.

Please refer to the following attached map for areas open to First Amendment activities. Any area not designated for these activities would require a permit regardless of size.

Freedom of speech, press, religion and assembly are constitutional rights. However, the courts have recognized that activities associated with the exercise of these rights may be reasonably regulated to protect legitimate government interests such as park resources. Therefore, in order to protect these resources, the NPS may regulate certain aspects of First Amendment activities, such as the time, the place and the manner in which they are conducted. It is the conduct associated with the exercise of these rights that is regulated and not the content of the message.

SECTION 4.21 VEHICLE SPEED LIMITS

The maximum speed limit is ten (10) miles per hour on all park roads and parking areas.

SECTION 4.30 BICYCLES

(a) All park trails, walkways, and unpaved roads are closed to bicycles.

By restricting bicycle use, the park can eliminate a hazardous condition to pedestrians throughout the park. It will also eliminate damage to resources. Fort Sumter is a National Monument, and not a Recreation Area.